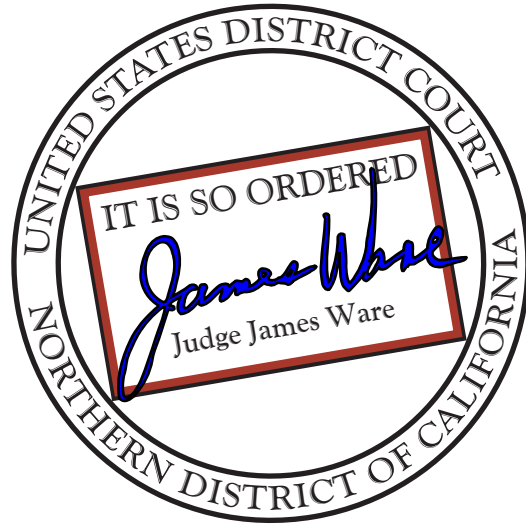


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Attorney for Plaintiff
JORGE ALBERT SANCHEZ



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JORGE ALBERT SANCHEZ,

Plaintiff,

v.

CITY OF SAN JOSE, a municipal
corporation, GILBERT ("GIL") VIZZUSI, an
Individual; and DOES 1-20.

Defendants.

Case No.: C-04-1683 JW

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING HEARING ON
SUMMARY JUDGMENT MOTION AND
REVISING PRETRIAL AND TRIAL
SETTING SCHEDULING ORDER**

Pursuant to Civil Local Rules 6-1, 6-2 and 7, counsel for the parties have agreed, subject to order of the Court, to continue (1) the hearing on defendants' motion for summary judgment and (2) the Preliminary Pretrial and Trial Setting Conference for forty-one days, from April 24, 2006 to June 5, 2006 and May 1, 2006 to June 12, 2006, respectively. The revised schedule is shown in the following table:

ACTIVITY/EVENT	PREVIOUS DATE	REVISED DATE
Summary Judgment Hearing	April 24, 2006	June 5, 2006 9:00am
Lodging of Preliminary Pretrial and Trial Setting Statement and Proposed Order	April 21, 2006	June 2, 2006
Preliminary Pretrial and Trial Setting Conference	May 1, 2006	June 12, 2006 11:00am
Close of Expert Discovery	30 days before trial	30 days before trial

There has been one prior continuance of the Preliminary Pretrial and Trial Setting Conference for a total of fourteen days.

The reasons and basis for the requested changes are set forth in the following declaration.

DECLARATION

I, Marc P. Fairman, being first duly sworn, declare as follows:

1. I am counsel of record for plaintiff George Sanchez and submit this declaration in support of the stipulation for 41-day continuance of the hearing on defendants' motion for summary judgment and preliminary pretrial and preliminary trial setting conference.

2. The present schedule was set pursuant to a previous stipulation and order entered on March 24, 2004. Under that schedule plaintiff's opposition to defendants' motion for summary judgment was due on April 3, 2006. As a result of delays caused by unanticipated developments in other matters, I could not complete the opposition papers within the allotted time frame and requested a brief extension of the filing deadline, which was agreeable to opposing counsel. We tried to adjust the briefing schedule without moving the dates for the summary judgment hearing and PTSC but were unable to do so because of preexisting scheduling conflicts in other matters. We agreed to the proposed schedule after clearing the dates with the Court's Calendar Clerk.

3. Counsel do not believe that the continuances will unduly delay or interfere with the orderly progress of the case.

1 I declare under penalty of perjury of the law of California that the foregoing is true and
2 correct this 12th day of April 2005 in San Francisco, California.

3
4
5 /s/
6 Marc P. Fairman

7 SO STIPULATED:

8 MARC P. FAIRMAN
9 LAW OFFICES OF MARC P. FAIRMAN
10 Professional Corporation

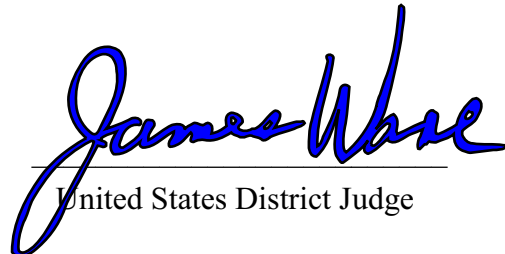
RICHARD DOYLE, City Attorney
NORA FRIMANN, Chief Trial Attorney
CLIFFORD GREENBERG, Senior Deputy
City Attorney
OFFICE OF THE CITY ATTORNEY

11
12 By /s/
13 Marc P. Fairman
Attorneys for Plaintiff

By /s/
Clifford Greenberg
Attorneys For Defendants

14
15 Dated: April 12, 2006

16
17 SO ORDERED:

18 
United States District Judge

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20 Dated: April 17, 2006
21
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28 _____